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Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1.   (Currently Amended) A method for transmitting delay sensitive information (DSI) and non-delay sensitive information (NDSI) over a communication link of a communication network, the method comprising the steps of:

transmitting fragmented NDSI in accordance with a network protocol where the fragmenting is based on parameters of received DSI and is performed in accordance with a network layer protocol;

calculating a fragmentation requirement for each received initial DSI;

reviewing the fragmentation requirements of the received DSI after a new DSI requirement was calculated or after transmission of a DSI was terminated to determine a fragmentation requirement that is most restrictive; and

altering the fragmenting of NDSI to comply with the most restrictive fragmentation requirement.

2.   (Cancelled)

3.   (Currently Amended) The method of claim 1 further-comprising-a-step-of:

———transmitting DSI in accordance with required timing relationships and transmitting NDSI in a non-fragmented manner when there are no DSI to be transmitted.

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4. (Original) The method of claim 1 where the network protocol is an OSI-based layer 3 protocol.

5. (Currently Amended) The method of claim 1 where the fragmenting is ~~further~~ based on information rate of the communication link.

6. (Previously Presented) The method of claim 1 where the parameters of the received DSI comprise variables including information compression, sample rate of DSI, number of communication channels included in the DSI, amount of overhead information included in the DSI and amount of subscriber information in the DSI.

7. (Currently Amended) An apparatus for transmitting delay sensitive information (DSI) and non-delay sensitive information (NDSI) over a communication link of a communication network where the apparatus

fragments the NDSI in accordance with a network layer protocol and based on parameters of received DSI;

calculates a fragmentation requirement for each received initial DSI;

reviews the fragmentation requirements of the received DSI after a new DSI requirement was calculated or after transmission of a DSI was terminated to determine a fragmentation requirement that is most restrictive; and

alters how the apparatus fragments NDSI to comply with the most restrictive fragmentation requirement.

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8.   (Currently Amended) The apparatus of claim 7 ~~configures~~ configured as an integrated access device (IAD) coupled to subscriber equipment and to an access network.

9.   (Currently Amended) The apparatus of claim 7 configured as host equipment ~~where such host equipment~~ that is coupled to a packet based communication network and to an access network.